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Paper No. 10

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In re Application of :
Alex Podgornik et al. :
Application No. 09/601,037 :
Filed: July 26, 2000 :
Attorney Docket No. P65728US0 :
:

OFFICE OF PETITIONS

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed August 1, 2002, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply within a timely manner to the non-final Office action mailed December 26, 2001, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. However, a petition to reset the reply period was submitted on January 31, 2002 and a Notice granting the petition was mailed (not dated) setting a reply period of three months from the January 31, 2002 receipt date of the petition. Accordingly, the application became abandoned on May 1, 2002.

The application file is being forwarded to Technology Center AU 1723 for further processing.

Telephone inquiries concerning this decision should be directed to Latrice Bond at (703) 308-6911.

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Paper No. 8

In re Application of
Podgornik et al.
Application No. 09/601,037
Filed: 7/26/00
Attorney Docket No. P65728USO

DECISION GRANTING PETITION
TO RESET PERIOD FOR REPLY

This is a decision on the petition filed on January 31, 2002, requesting that the shortened statutory period for reply set forth in the Office communication mailed on December 26, 2001 be reset to run from the date on which the Office communication was actually received at the correspondence address of record.

The petition is granted.

Petitioner provided a statement that the Office communication in question was received at the correspondence address of record on January 23, 2002. The petition was filed within two weeks of receipt of the Office communication. A substantial portion of the set reply period had elapsed on the date of receipt. Furthermore, the Office communication was mailed between October 13, 2001 and January 2, 2002, when delivery of mail from the Office to certain regions of the country was delayed.

Accordingly, the shortened statutory period that was originally set forth in the Office communication originally mailed on December 26, 2001 is hereby reset to run FROM THE RECEIPT DATE OF January 23, 2002.

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